



## Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

# 97-20 - LOCATION AND ACCESS REGULATIONS

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## 97-20 - LOCATION AND ACCESS REGULATIONS

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LAST AMENDED  
11/30/2017

Within the Core Subdistrict, as shown on Map 1 in Appendix A of this Chapter, and areas outside of a subdistrict, the provisions of Section [97-21](#) (Supplemental Use and Streetscape Regulations Along 125th Street), inclusive, shall apply.

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the provisions of Section [97-21](#), inclusive, shall apply to any #zoning lot#, or portion thereof, specified in Section [97-21](#), and the provisions of Section [97-22](#) (Supplemental Use and Streetscape Regulations Within the Park Avenue Hub Subdistrict), inclusive, shall apply to all other #zoning lots#, or portions thereof.

For the purposes of applying the provisions of this Section, defined terms shall include those set forth in Sections [12-10](#) (DEFINITIONS) and [37-311](#) (Definitions).

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### 97-21 - Supplemental Use and Streetscape Regulations Along 125th Street

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LAST AMENDED  
11/30/2017

Within the #Special 125th Street District#, for any #zoning lot# that fronts upon 125th Street, the #use# regulations of the underlying districts shall be modified by the requirements of this Section, inclusive. However, on #through lots# or #corner lots# with frontage along 125th Street, such requirements shall apply within the first 100 feet of the 125th Street #street line#.

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### 97-211 - Location of and Access to Arts and Entertainment Uses

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LAST AMENDED  
11/30/2017

Any arts and entertainment #uses# listed in Section [97-11](#) that are provided in order to comply with the requirements of Section [97-12](#) (Arts and Entertainment Use Requirement) or Section [97-422](#) (Floor area bonus for visual or performing arts uses) shall be subject to the following location and access requirements:

The designated #uses# listed in Section [97-11](#) may be located anywhere throughout a #building# that fronts on 125th Street, subject to the following conditions:

- (a) any such designated #uses# within the Core Subdistrict required pursuant to Section [97-12](#) shall be accessed from 125th Street; and
- (b) any #residential use# shall be located on a floor wholly above any #commercial# #use#; or
- (c) any #commercial# #use# may be permitted on the same #story# as a #residential use#, provided that:
  - (1) no access exists between #commercial# #uses# and #residential uses# at any level; and
  - (2) #commercial# #uses# are not located directly over any #residential uses#.

Such #commercial# #use#, however, may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial# #uses# exists within the #building#.

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## 97-212 - Uses not permitted on the ground floor of buildings

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LAST AMENDED

11/30/2017

The following #uses# are not permitted within #stories# that have a floor level within five feet of #curb level# in #buildings# #developed# after April 30, 2008, or within #stories# that have a floor level within five feet of #curb level# within portions of #buildings# #enlarged# after April 30, 2008, where such #building# or portion of a #building# fronts upon 125th Street, or is within 100 feet from 125th Street. Entranceways and lobby space for access to such #uses# shall be permitted at the ground floor level, pursuant to the provisions of Section [97-213](#) (Access to non-ground floor uses).

From Use Group 2:

All #uses#.

From Use Groups 3A and 3B:

All #uses#, except for libraries, museums or non-commercial art galleries.

From Use Groups 4A and 4B:

All #uses#, except for houses of worship or playgrounds.

From Use Group 5A:

All #uses#.

From Use Groups 6A, 6B, 6C and 6E:

Banks (except for automated teller machines, provided the width of #street# frontage allocated for automated teller machines shall be no more than 25 feet or 40 percent of the frontage of the #zoning lot#, whichever is less, measured to a depth of 30 feet from 125th Street, except that such frontage need not be less than 20 feet), electrolysis studios, frozen food lockers, laundry establishments, loan offices, offices or veterinary medicine offices.

From Use Group 6D:

All #uses#.

From Use Group 7:

All #uses#, except for bicycle rental or repair shops.

From Use Groups 8A and 8B:

Automobile driving schools, ice vending machines, lumber stores or pawn shops.

From Use Groups 8C, 8D and 8E:

All #uses#.

From Use Groups 9A, 9B and 9C:

All #uses#, except for #health and fitness establishments#, public auction rooms, photographic developing or printing establishments for the consumer, or art, music, dancing or theatrical studios.

From Use Groups 10A, 10B and 10C:

Depositories for storage, and wholesale offices or showrooms.

Use Group 11:

All #uses#.

Use Groups 12A and 12B:

Trade expositions.

Use Groups 12C and 12D:

All #uses#.

Use Group 14A and 14B:

All #uses#, except for bicycle sales, rental or repair shops.

Within the Special District, for such #developments# and #enlargements# that are no more than one #story#, a #use# permitted by the regulations of the underlying district shall be allowed.

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## **97-213 - Access to non-ground floor uses**

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LAST AMENDED

11/30/2017

The maximum ground floor #street# frontage on 125th Street allocated to entranceways or lobby space for non-ground floor #uses# listed in Section [97-22](#) shall be as set forth for Type 1 lobbies in Section [37-33](#) (Maximum Width of Certain Uses), except that for #developments# or #enlargements# with at least 200 linear feet fronting on 125th Street, the Type 2 lobby regulations shall apply.

Additionally, within the Core Subdistrict the #residential# portion of a #development# or #enlargement# may be accessed from an entrance on 125th Street only if such #development# or #enlargement# does not front upon a #street# other than 125th Street.

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## **97-214 - Transparency requirements along 125th Street**

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LAST AMENDED

11/30/2017

For all #uses#, other than houses of worship, libraries and primary rehearsal spaces, located on the ground floor of #developments# and #enlargements# that front upon that portion of 125th Street located within the #Special 125th Street District#, the ground floor #street wall# shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements).

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## **97-22 - Supplemental Use and Streetscape Regulations Within the Park Avenue Hub Subdistrict**

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LAST AMENDED

11/30/2017

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, for #zoning lots#, or portions thereof, that are not subject to the provisions of Section [97-21](#) (Supplemental Use and Streetscape Regulations Along 125th Street), inclusive, the provisions of this Section, inclusive, shall apply.

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## **97-221 - Modification of supplemental use location regulations**

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LAST AMENDED  
11/30/2017

The supplementary #commercial# #use# regulations of Section [32-421](#) (Limitation on floors occupied by commercial uses) shall be modified to permit #commercial# #uses# on any #story#, provided that at any level containing #residences#, no access exists between such #commercial# and #residential uses# and provided that such #commercial# #uses# are not located directly over any #residential use#.

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## **97-222 - Ground floor use and streetscape regulations**

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LAST AMENDED  
11/30/2017

The provisions of this Section, inclusive, shall apply to #developments# or #ground floor level# #enlargements#. Any portion of a #ground floor level# allocated to a transit easement required by the MTA pursuant to the provisions of Article IX, Chapter 5 need not comply with the streetscape requirements of this Section.

For the purposes of applying the provisions of Section [37-30](#) (SPECIAL GROUND FLOOR LEVEL STREETSCAPE PROVISIONS FOR CERTAIN AREAS), any portion of a #ground floor level# #street# frontage along Park Avenue that is not subject to the provisions of Section [97-21](#) (Supplemental Use and Streetscape Regulations Along 125th Street), inclusive, as well as any #narrow street# frontage within 50 feet of Park Avenue, shall be considered #primary street frontages#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage#.

(a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section [37-32](#) (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 2 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section [37-33](#) (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section [37-35](#) (Parking Wrap and Screening Requirements). #Ground floor level# #street walls# shall be glazed in accordance with the provisions set forth in Section [37-34](#) (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

For #buildings#, or portions thereof, with #secondary street frontage#, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any #group parking facilities# on the #ground floor level# shall be wrapped or screened in accordance with the provisions of Section [37-35](#).

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.